

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION**

**JOSEPH LEE LOCKLEAR, JR.,**  
**Plaintiff,**

**v.**

**JOHN WALRATH, et al,**  
**Defendant(s).**

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**Civil Action No. 7:16-cv-00308**

**MEMORANDUM OPINION**

**By: Norman K. Moon**  
**United States District Judge**

Joseph Lee Locklear, Jr., a *pro se* Virginia inmate, filed a civil rights complaint pursuant to 42 U.S.C. § 1983. By Order entered on July 5, 2016, the court conditionally filed the complaint and directed plaintiff to provide certain financial documentation, including and a certified copy of his inmate trust fund account statement for the six-month period immediately preceding the filing of the complaint. The court advised plaintiff that failure to provide the required information within thirty days would result in dismissal without prejudice. On July 27, 2016, plaintiff filed an incomplete trust fund account statement which only pertained to two of the six required months. On July 27, 2016, the court explained that plaintiff did not send in all of the required information and granted plaintiff 20 additional days to comply with the court's order by providing the missing 4 months of data. On August 8, 2016, plaintiff submitted a signed inmate account report which still did not include the trust fund statements for those 4 missing months. Inasmuch as the time to comply has passed and plaintiff still has not provided the required documentation, the court dismisses this action without prejudice. Plaintiff may refile the claims in a separate action once he is prepared to comply with the filing requirements. The Clerk is directed to send a copy of this opinion and accompanying Order to plaintiff.

ENTER: This 12th day of August, 2016.

  
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NORMAN K. MOON  
UNITED STATES DISTRICT JUDGE